

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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IN RE MBNA CORPORATION :
DERIVATIVE AND CLASS :
LITIGATION : Lead Case No. 1:05-cv-00327-GMS
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This Document Relates To: :
ALL ACTIONS. :
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MALCOLM ROSENWALD, : Case No. 1:05-cv-00692-GMS
Plaintiff, :
v. :
LAURA S. UNGER, BENJAMIN R. :
CIVILETTI, WILLIAM H. JEWS, :
JAMES H. BERICK, MARY H. :
BOIES, BRUCE L. HAMMONS, :
RANDOLPH C. LERNER, STUART :
L. MARKOWITZ, AND THOMAS G. :
MURDOUCH, JR., :
Defendants, :
MBNA CORPORATION, :
Nominal Defendant. :
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UNOPPOSED MOTION TO CONSOLIDATE CASES


Plaintiffs hereby move for an Order consolidating *Rosenwald v. Unger, et al.* (05-cv-00692-GMS) as part of *In re MBNA Corporation Derivative and Class Litigation* (05-cv-00327-GMS). The *Rosenwald* action was transferred from the United States District Court for the District of Maryland to the United States District Court for the District of Delaware after the Stipulated Order Consolidating Actions and Appointing Co-Lead Counsel (D.I. 28 in 05-cv-00327-GMS) was entered in *In re MBNA Corporation Derivative and Class Litigation*.

The *Rosenwald* action asserts claims that are similar or identical to the claims asserted in *In re MBNA Corporation Derivative and Class Litigation* and arises out of the same transactions and events. The *Rosenwald* action and *In re MBNA Corporation Derivative and Class Litigation* involve common issues of law and fact, and the *Rosenwald* action is a related action under Local Rule 3.1(b) and under paragraphs 14 and 15 of the Stipulated Order Consolidating Actions and Appointing Co-Lead Counsel. Therefore, consolidation of the *Rosenwald* action as part of *In re MBNA Corporation Derivative and Class Litigation* will serve the interests of judicial economy and prevent the duplication of labor by the parties and the Court.

Counsel for Plaintiffs have conferred with Defendants and Defendants do not oppose this motion.

Dated: January 6, 2006

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v. Unger and In Re MBNA Corporation
Derivative and Class Litigation*